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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 09/805,534
Filing Date: March 13, 2001
Appellant(s): SIEGEL ET AL.

APR 05 2007

Technology Center 2100

Arthur S. Ortega
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 18, 2006 appealing from the Office action mailed July 20, 2006.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,321,236

Zollinger et al

11-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 6, 12 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,321,236 issued to Zollinger et al (hereafter Zollinger).

Claims 1, 6, 12 and 15:

Zollinger discloses:

associating a first code [code representation in table cell, col 10, lines 45-60] with a first characteristic [product price, col 1, line 65 – col 2, line 5 and col 7, lines 35-40] of a product and a second code [code representation in table cell, col 10, lines 45-60] with a second characteristic [product part list version number, col 1, line 65 – col 2, line 5 and col 7, lines 35-40 and col 8, line 22] of the same product

storing a first characteristic value [product price, col 1, line 65 – col 2, line 5 and col 7, lines 35-40] associated with the first characteristic and a second characteristic value [version number, Fig 4, col 10, lines 45-60, col 7, lines 5-15] associated with the second characteristic [parts database is centrally managed, col 7, lines 34-40]

associating an identity of a first entity with at least one of the first or second codes including setting one or more update values indicating whether the first entity is

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authorized to receive changes relating to the first or second characteristic values associated with the first or second code [profile database 56 contains information on each client authorized to receive updates, Fig 1, col 8, lines 15-30, col 12, lines 15-30, col 4, lines 5-15],

changing at least one of the characteristic values to produce a changed characteristic value [update in the database, col 6, lines 30-45, adding a new part, changing the price of an existing part, col 1, line 65 through col 2, line 5, col 6, line 60 – col 7, line 5],

retrieving the identity of the first entity based on the changed characteristic value [differencing engine 30, Fig 1, col 6, lines 60-67, profile database associates database tables with clients, col 12, lines 15-30, col 8, lines 15-25]

determining whether the first entity is authorized to be sent the changed characteristic value based on one of the one or more distinct update values [synchronizing request is validated, col 12, lines 20-30, client is validated, col 8, lines 15-30]

sending the changed characteristic value to the first entity based on the determination [current version of the database table is transmitted to the client, col 13, lines 20-35]

a processor, data and instructions executable by the processor [server synchronizer 46, Fig 1]

Claim 2:

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Zollinger discloses associating the identity of a second entity with the same code as that associated with the first entity, retrieving the identity of the second entity based on the code associated with the characteristic having the changed value, and sending the changed value to the second entity profile database 56, Fig 1, col 8, lines 15-30, col 12, lines 15-30, col 4, lines 5-15]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4, 5, 7-9, 14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zollinger in view of US Pat No 5,913,210 issued to Call (hereafter Call).

Claim 4:

Zollinger discloses the elements of claim 1 as noted above but does not disclose sending the changed characteristic value by email. Call discloses sending the changed characteristic value by email [col 4, lines 44-52 and col 7, lines 7-10]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zollinger to include sending the changed characteristic value by email as taught by Call for the purpose of using an electronic means of communication.

Claim 5:

The combination of Zollinger and Call discloses the elements of claims 1 and 4 as noted above and furthermore, discloses retrieving the electronic address of the first entity [Call, col 4, lines 10-26]

Claim 7:

The combination of Zollinger and Call discloses the elements of claim 6 as noted above and furthermore, discloses wherein the modified information is transmitted over a network and the first entity is a computer on the network [Call, Fig 1, items 120 and 103]

Claim 8:

The combination of Zollinger and Call discloses the elements of claims 6 and 7 as noted above and furthermore, discloses wherein the network is the Internet [Call, col 2, lines 28-33]

Claim 9:

The combination of Zollinger and Call discloses the elements of claim 6 as noted above and furthermore, discloses wherein the product is a service [Call, col 2, lines 33-47]

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Claim 14:

The combination of Zollinger and Call discloses the elements of claim 12 as noted above and furthermore, discloses wherein the means for sending the changed value comprises means for sending the value by email [Call, col 7, lines 7-30].

Claim 16:

The combination of Zollinger and Call discloses the elements of claim 15 as noted above and furthermore, discloses wherein the system comprises a server connected to a network and the first entity comprises another server on the network [Call, col 3, line 60 through col 4, line 10]

Claim 17:

The combination of Zollinger and Call discloses the elements of claim 15 as noted above and furthermore, discloses wherein the system comprises a server connected to a network, the data is maintained by a seller, and the first entity is a buyer of the product from the seller [Call, Fig 1 and abstract].

Claim 18:

The combination of Zollinger and Call discloses the elements of claim 15 as noted above and furthermore, discloses wherein the product is a service [Call, col 2, lines 33-47]

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zollinger in view of US Pat No 6,185,601 issued to Wolff (hereafter Wolff).

Claims 19 and 20:

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Zollinger discloses the elements of claim 1 as noted above but does not disclose wherein the distinct update values comprise a Boolean value indicating whether the first entity is automatically authorized to receive changes relating to the first or second characteristic values. Wolff discloses wherein the distinct update values comprise a Boolean value indicating whether the first entity is automatically authorized to receive changes relating to the first or second characteristic values [Fig 13B]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zollinger to include wherein the distinct update values comprise a Boolean value indicating whether the first entity is automatically authorized to receive changes relating to the first or second characteristic values as taught by Wolff for the purpose of maintaining integrity of the database system.

(10) Response to Argument**Appellant Argues:**

Appellant states on page 10 that Zollinger fails to disclose “retrieving the identity of the first entity based on the changed characteristic value.”

Examiner Responds:

Examiner is not persuaded. Examiner interprets identity of the first entity as the name of the field service representative [Zollinger: col 1, lines 60-65, col 7, lines 35-40]. Because the field service representative can also be a client/subscriber, examiner interprets identity of the first entity as client/subscriber [Zollinger: Fig 1, col 7, lines 20-30]. Examiner interprets changed characteristic value as differencing engine 30, Fig 1, which computes the difference between two

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tables [Zollinger: col 6, lines 60-65]. Furthermore, Zollinger's disclosure of updates [Zollinger: col 8, lines 15-30] to one or more database tables reads on the changed characteristic value."

Examiner interprets retrieving the identity of the first entity as at least, validating clients and retrieving pertinent information regarding client copies of the master database stored on the client system [Zollinger: col 4, lines 5-15, col 8, lines 15-30]

Zollinger discloses the following in column 8, lines 15-30:

The server synchronizer component 46 will also access a profile database 56 as represented by arrow 58 in order to validate clients. The profile database contains information on each client authorized to receive updates from the server synchronizer component 46 including, but not limited to or required depending upon implementation, the following information: a list of database tables authorized for update by the client; the version number for each authorized database table; the password to be used for verification of log in or other connection initiation; the database engine or engines natively running on the client and in the case of multiple engines, an association between the engines and the database table; and other information apparent to those skilled in the art.

Zollinger discloses a profile database which contains information on the authorized client database tables which are authorized to receive updates from the central server synchronizer. Based on the above evidence, Zollinger anticipates the claim limitation "retrieving the identity of the first entity based on the changed characteristic value."

Appellant Argues:

Appellant states on page 15 "Zollinger fails to disclose 'setting one or more distinct update values indicating whether the first entity is authorized to receive changes relating to the first or second characteristic values associated with the first or second code as recited in the claimed invention.'"

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Examiner Responds:

Examiner is not persuaded. Examiner is unable to find above claim limitation “in the claimed invention” and thus is unable to respond.

Appellant Argues:

Appellant states in the third paragraph of page 18 that Zollinger fails to disclose associating a first code with a first characteristic of a product and a second code with a second characteristic of the same product.

Examiner Responds:

Examiner is not persuaded. Appellant is referred to supra Office action where the claim limitation is clearly mapped to the relevant disclosure of Zollinger. For easy reference, the relevant section of the Office action is given below.

associating a first code [code representation in table cell, col 10, lines 45-60] with a first characteristic [product price, col 1, line 65 – col 2, line 5 and col 7, lines 35-40] of a product and a second code [code representation in table cell, col 10, lines 45-60] with a second characteristic [product part list version number, col 1, line 65 – col 2, line 5 and col 7, lines 35-40 and col 8, line 22] of the same product

Examiner concludes that Zollinger anticipates above claim limitation.

Appellant Argues:

Appellant states in the third paragraph of page 18 that Zollinger fails to disclose “associating an identity of a first entity with at least one of the first or second codes.”

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Examiner Responds:

Examiner is not persuaded. Appellant is referred to supra Office action where the claim limitation is clearly mapped to the relevant disclosure of Zollinger. For easy reference, the relevant section of the Office action is given below.

associating an identity of a first entity with at least one of the first or second codes [code representation in table cell, col 10, lines 45-60] including setting one or more update values indicating whether the first entity [field service representative, col 1, lines 60-65, col 7, lines 35-40, client/subscriber col 7, lines 20-30] is authorized to receive changes relating to the first or second characteristic values associated with the first or second code [profile database 56 contains information on each client authorized to receive updates, Fig 1, col 8, lines 15-30, col 12, lines 15-30, col 4, lines 5-15].

Examiner concludes that Zollinger anticipates above claim limitation.

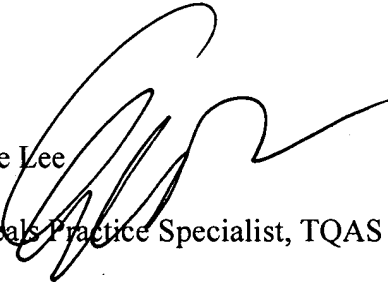
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

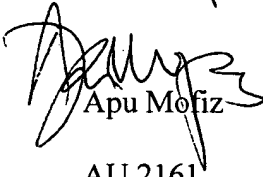
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Respectfully submitted,




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